**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**and**

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

WRIT APPEAL NO.2518 of 2005

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23rd December 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29.11.2005 in W.V.M.P.NO.2697 OF 2005 and W.P.M.P.NO.21309 OF 2005 in W.P.NO.16764 OF 2005 on the file of the High Court.)

Between:

1 M/s. Electronics Corporation of India Limited, Rep. by its

Chairman & Managing Director, Moula Ali, Hyderabad.
2 The Chairman & Managing Director, M/s. Electronics Corporation

of India Limited, Moula Ali, Hyderabad.
3 The General Manager, Information, Technology

and Telecommunication Group, M/s. Electronics Corporation

of India Limited, Moula Ali, Hyderabad.
4 C. Venkat Rao Personnel Manager, FAC/Enquiry Officer,
E.C.I.L. Moula Ali, Hyderabad.

**...APPELLANTS**

AND

N. Vijaya Kumar S/o. Lakshmaiah, R/o. 12-1-505, GF-5, Om Sri Sai Apartments, Lakshmi Nagar, Lalapet, Secunderabad.

**...RESPONDENTS**

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

WRIT APPEAL NO.2518 OF 2005

**JUDGMENT:** (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides. At their request, the Writ Appeal itself is taken up for disposal.

The appellants/petitioners filed this appeal seeking to assail the order dated 29.11.2005 in W.V.M.P.No.2697 of 2005 and W.P.M.P.No.21309 of 2005 in W.P.No.16764 of 2005 making the interim suspension passed earlier as absolute.

The learned counsel for the appellants submits that even though the interim order was granted in their absence, subsequently they filed vacate stay application and the same was not considered in proper perspective. Now the same was not considered on merits.

The learned counsel for the respondents submitted that having regard to the facts and circumstances, the learned Single Judge made the interim suspension as

absolute.

Having heard the counsel on either side and on perusal of the material available on record, as suggested by both the sides, there being no consideration on merits, especially in regard to the pleas and objections raised by the appellants in their counter at the time of making the interim suspension absolute, it is felt more desirable to serve the interests of justice to give one more opportunity for fresh consideration and dispose of on merits after hearing both the sides.

The Writ Appeal is accordingly allowed. No costs.

Office to post the vacate stay application before the learned Single Judge next week.

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**(B.PRAKASH RAO, J)**

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**(DR G.YETHIRAJULU, J)**

23rd December 2005

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